

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

April 12, 2006 PLANNING COMMISSION MEETING

PROJECT #: Street and Alley Vacation No. 05010

PROPOSAL: To vacate 100 feet of the east/west alley.

LOCATION: On the block bounded by Prescott to Lowell Avenues and 51st to 48th Streets.

LAND AREA: 1500 square feet, more or less.

CONCLUSION: Alley is currently in public use by other property owners on the block.

<u>RECOMMENDATION:</u>	Conforms to Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: 100 feet of the east/west alley south of Lots 6 and 7 and north of Lots 10 and 11, Block 30, College View, located between Prescott Avenue and Lowell Avenue and east of vacated S. 49th Street, located in the SE 1/4 of Section 5-9-7, Lancaster County, Nebraska, generally located at S. 49th Street and Lowell Avenue.

SURROUNDING LAND USE AND ZONING:

North:	R-6	Residential
South:	R-4	Residential
East:	R-6, R-4	Residential
West:	R-6, R-4	Residential

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan identifies this area as urban residential.

UTILITIES: Wastewater and Public Works note there is an 8" sanitary sewer in the area that is proposed to be vacated for which a permanent easement will be required for its maintenance and possible future replacement.

Lincoln Electric System notes that easements should be retained for future and existing electrical facilities across the entire proposed vacated corridor.

STREET VACATION NO.00018

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HISTORY:

July 26, 2003 City Council approved SAV03013 which vacated 49th Street and 50 feet of the alley to the east of this requested vacation, between Lots 8 and 9.

TRAFFIC ANALYSIS: At the time that SAV03013 was approved, staff requested a public access easement across the vacated alley and street, however this easement is not reflected in the deed. Due to this, with this application staff requests a public access easement be retained over all the right of way vacated with approval of this application as well as that vacated with SAV03013. The applicant/owner has been notified and agrees to this request. This easement will prevent the occurrence of a dead end alley and allow the residential properties to the east to have an alternate route in and out of the portion of alley abutting their properties.

ANALYSIS:

1. This is a request to vacate a portion of the east/west alley between vacated S. 49th Street, S. 51st Street, Lowell and Prescott Avenues.
2. The portion of right-of-way requested to be vacated is approximately 100 feet by 15 feet.
3. Residential properties to the east use the alley, though the portion of the alley that abuts their properties is not proposed to be vacated at this time. The alley is accessible to these properties from S. 51st Street.
4. The proposed vacation combined with that area vacated by SAV03013 would allow for the northward expansion of the existing parking lot over Lots 6, 7, and 8, a public access easement will be granted over the parking lot.
5. A public access easement shall be retained over the 100' of east/west alley vacated upon the approval of this request.
6. A public access easement is granted by the owner over Lots 6-11 of Block 30, College View and the westernmost 50' of the vacated east/west alley and S. 49th Street from Prescott to Lowell Avenues (as vacated by SAV03013).
5. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be established and deposited with the City Clerk prior to scheduling the vacation request with the City Council.

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**BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL
AGENDA THE FOLLOWING MUST BE COMPLETED:**

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.

Prepared by:

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Planner

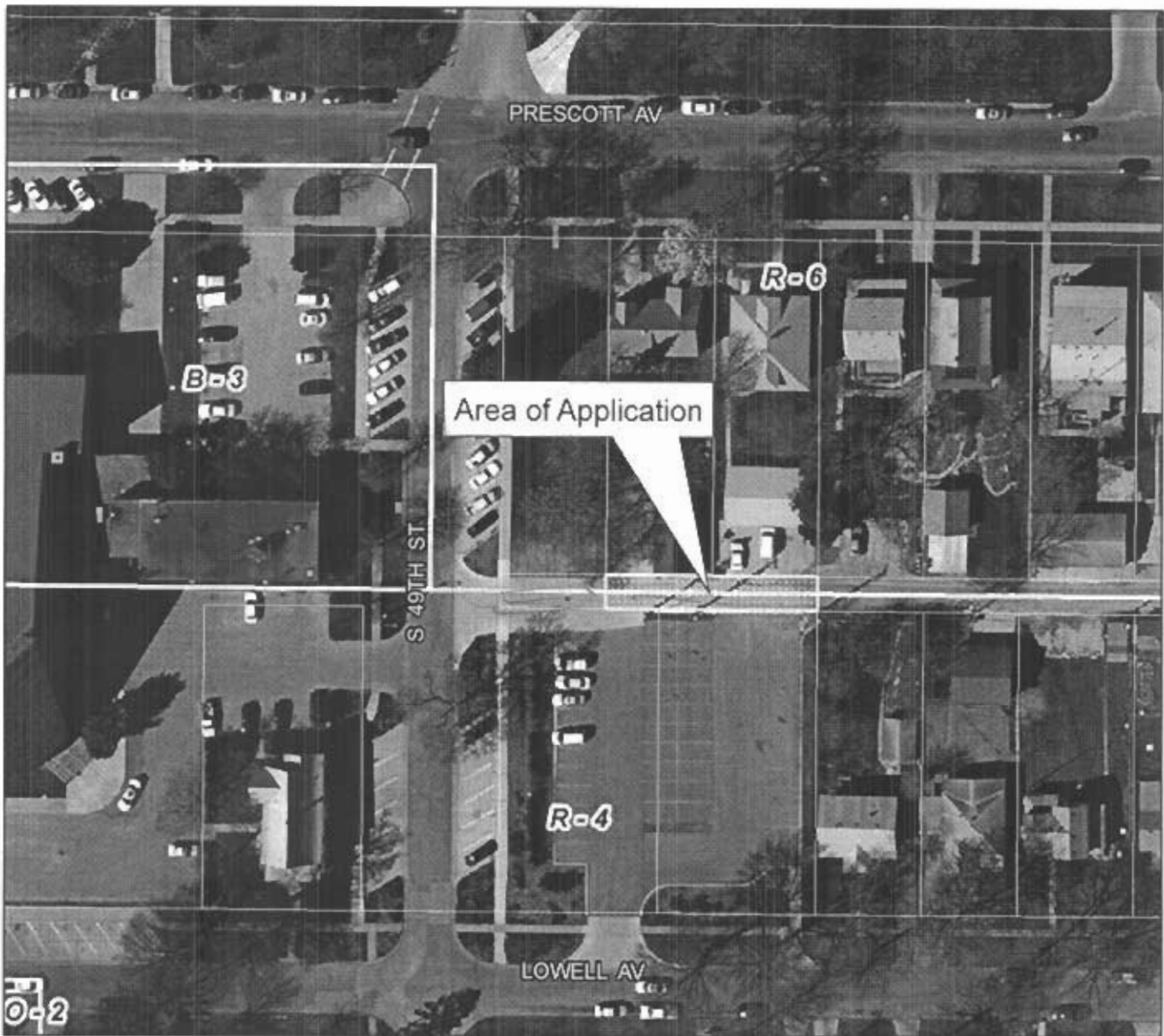
DATE: March 31, 2006

APPLICANT: Nebraska Conference of 7th Day Adventists
4015 S 49th Street
Lincoln, NE 68506

OWNER: Nebraska Conference of 7th Day Adventists
4745 Prescott Avenue
Lincoln, NE 68506

Kansas/Nebraska Association of 7th Day Adventists
4745 Prescott Avenue
Lincoln, NE 68506

CONTACT: Dan Spiry
Bahr, Vermeer, & Heckert
475-4551



Street & Alley Vacation #05010 S 49th St & Lowell Ave

2005 aerial

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-6	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 05 T09N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction

